



APR 03 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor : Jonathan R. Broek
Appln. No.: 10/657,471
Filed : September 8, 2003
For : MECHANIC'S TRACK CREEPER
Docket No.: B70.12-0001

Group Art Unit: 3617
Examiner: Robert J. McCarry Jr.

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I HEREBY CERTIFY THAT THIS PAPER IS
BEING SENT BY U.S. MAIL, FIRST CLASS, TO
THE COMMISSIONER FOR PATENTS, P.O.
BOX 1450, ALEXANDRIA, VA 22313-1450,
THIS

31st DAY OF March 2006.
Bryan Ensign
PATENT ATTORNEY

Sir:

Applicant appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed February 15, 2006, finally rejecting claims 2-4, 5, 7, 8 and 12-18, and objecting to claims 9, 19 and 20.

FEE STATUS

Small entity status.

FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 1.17(b) the fee for filing the Notice of Appeal is:

<input type="checkbox"/> other than a small entity	\$500.00
<input checked="" type="checkbox"/> small entity	\$250.00

EXTENSION OF TIME

These proceedings are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

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(a) [] Applicant petitions for an extension of time under 37 C.F.R. § 1.17(a)-(d) for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
[] one month	\$ 120.00	\$ 60.00
[] two months	\$ 450.00	\$225.00
[] three months	\$1,020.00	\$510.00
[] four months	\$1,590.00	\$795.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

[] An extension for --- --- has already been secured and the fee paid therefor of \$--- is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$---

or

(b) [x] Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$250.00

Extension fee (if any) \$---

Total Fee Due \$250.00

FEE PAYMENT

[x] A check in the amount of \$250.00 is attached.

[] Charge Deposit Account No. 23-1123, the sum of \$__.

The Director is authorized to charge any additional fees associated with this paper or credit any overpayment to Deposit Account No. 23-1123. A duplicate copy of this communication is enclosed.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

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BFE/djb